

# Notice of Allowability

Application No.

10/031,376

Examiner

Jack Dinh

Applicant(s)

OGASAWARA ET AL.

Art Unit

2873

AW

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/11/04.
2. ☒ The allowed claim(s) is/are 9-12, 15 and 16.
3. ☒ The drawings filed on 18 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

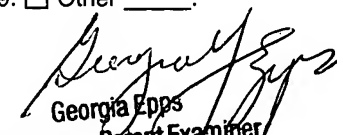
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Georgia Epps  
Supervisory Patent Examiner  
Technology Center 2800

### REASONS FOR ALLOWANCE

1. Claims 9-12, 15 and 16 are allowed. The following is a statement of the examiner's reasons for allowance. The present invention relates to a head-mounted display device including an optical system that projects an image.

(a) Regarding claim 9, the claimed features of head-mounted image display device that are distinguished over prior art (Atsumi et al. U.S. Patent 6,351,252) including, *inter alia*, frame spreading magnitude changing devices each of which is attached to the frame member so that the device can move relative to the frame member, and is used to adjust an angle of pivot by which the frame member pivots, wherein the frame spreading magnitude changing devices is moved relative to the frame member so that the device will have distal projections thereof inserted into or withdrawn from gaps between the contacting portions of the frame member, whereby a pivot angle by which the frame member can pivot is adjusted at least in two steps.

(b) Regarding claim 10, the claimed features of head-mounted image display device that are distinguished over prior art (Atsumi et al. U.S. Patent 6,351,252) including, *inter alia*, frame spreading magnitude changing devices each of which is attached to the frame member so that the device can move relative to the frame member, and is used to adjust a pivot angle by which the frame member can pivot, wherein the frame spreading magnitude changing devices is moved relative to the frame member so that the device will have distal projections thereof inserted into or withdrawn from gaps between the contacting portions of the frame member, whereby the

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pivot angle by which the frame member can pivot is adjusted to be any position that is not a stepwise specified position.

(c) Regarding claim 15, the claimed features of head-mounted image display device that is distinguished over prior art (Atsumi et al. U.S. Patent 6,351,252) is where the frame member has distal portion thereof shifted down by a predetermined dimension with respect to a major axis plane defined in the proximal portion of the frame member that acts as a fulcrum.

2. The prior art taken either singly or in combination fails to anticipate or fairly suggest the limitations of the independent claims, in such a manner that a rejection under 35 USC 102 or 103 would be improper. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Other Information/Remarks***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack Dinh whose telephone number is 571-272-2327. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may

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be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jack Dinh



Georgia Epps  
Supervisory Patent Examiner  
Technology Center 2800